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EXAMINER

EVANS, KIMBERLY L

ART UNIT

PAPER NUMBER

3629

NOTIFICATION DATE

DELIVERY MODE

10/20/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/664,486

Applicant(s)

PETITO ET AL.

Examiner

KIMBERLY EVANS

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 09 June 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/CDC)
Paper No(s)/Mail Date 9/18/08/8/5/08
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Amendments

1. This action is in reply to the response filed June 9, 2008.
2. Claims 1-20 are currently pending and have been examined.

Information Disclosure Statement

3. The Information Disclosure Statements filed on August 5, 2008 and September 18, 2008 have been considered. An initialed copy of the Form 1449 is enclosed herewith.
4. The Information Disclosure Statement filed September 18, 2008 references an NPL which has a significantly large number of pages (547). The entry does not provide a concise explanation of the specific pages (or dates) which are relevant to this application. The (547 pages) NPL contains pages that are not related to this application (i.e. electronic acknowledgement, transmittal of IDS, Office Action Summary Page, Receipts/Fee Record Sheets, Artifact Sheet, Application Fee Determination Records, and the like..). Details relevant to this application should be specifically identified by the corresponding page numbers. Therefore, the (547 pages) NPL has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
- (a) Determining the scope and contents of the prior art.
 - (b) Ascertaining the differences between the prior art and the claims at issue.
 - (c) Resolving the level of ordinary skill in the pertinent art.
 - (d) Considering objective evidence present in the application indicating obviousness or nonobviousness.
7. Claims 1-20 are rejected as being unpatentable over Raveis, JR US Patent Application Publication US2001/0005829A1; in view of in view of Guardian Mortgage Documents, herein referred to as "GMD", www.gmd.com in view of Bisbee et al., herein referred to as "Bisbee" US Patent No 7,162,635 B2 .

8. As per Claims 1, 7 and 17,

Raveis as shown discloses the following limitations:

- *a network accessible by a plurality of users involved in the property transaction;* (see at least Abstract: "...managing customer relationships throughout a real estate transaction cycle over a distributed computer network...." and "...buyers and sellers of real estate in a computerized database...")
- *a database, accessible via said network, said database allowing controlled access by the plurality of users and storing data related to said client,* (see at least Abstract: "...providing customers with secure access to the computerized database....")

Raveis teaches all of the limitations described above. Raveis does not disclose the following limitations, but Guardian Mortgage Documents (GMD), Products and Services, however, as shown discloses:

- *said database further including at least a first table having embedded rules wherein the rules define a work-flow for the property transaction* (see at least, "Software Features".... " ...GMD's proprietary software allows users to enter loan information into easy-to-use screens (standard or customized). To ensure quality documents, GMD's software incorporates a number of error/default checks....; "Document Compliance": "...GMD maintains a database library with thousands of mortgage documents..."; and Products and Services Process Flow Chart: Create Documents: GMD Software Document Engine...")
- *and at least a second table defining at least one attribute of a display of information associated with said property transaction;* (see at least "Software Features".... " ...After entering your data and executing a user proof, you transmit your loan file to GMD's national service center for processing..."; and Products and Services Process Flow Chart: Create Documents: GMD Software Document Engine..")

- *a web-based user interface providing access to said database, (see at least Guardian Mortgage Documents:... "Compliance Intelligence": "...2. Web Site Library: ...Through our Web site, GMD provides clients with 24 hour, 7-day-a-week access to a database...")*

It is old and well known in the art of web based input-processing systems to utilize embedded rules to build customized tables and/or screens to allow instantaneous changes in screens, tables, and/or documents. It would have been obvious to one ordinary skilled in the art at the time of the invention to combine the real estate networking capabilities of Raveis with Guardian Mortgage Documents loan document preparation and delivery system because this would be a more efficient way to quickly produce, and provide documents, validate compliance rules, confirm pricing, manage and electronically deliver any type of document via the web

Raveis and GMD disclose the above limitations, the combination of Raveis and GMD does not disclose the following limitations, but Bisbee however as shown discloses:

- *wherein said user interface is dynamically controlled as a function of the at least one attribute defined in the second table. (see at least Figure 1, column 10, lines 26-34: "...The public keys are generated and issued by or under the control of the Certification Authority (block 102), with a certificate including the identity of the intended recipient and appropriate user attributes, among other things. Principal components of the DAS assurance are the correct operation of the Certification Authority framework, the tight binding of user identity and attributes to the public key in the authentication certificate, and the reliable delivery of the Token to the authorized recipient..."; Figures 6 and 7, column 20-64: "...FIG. 6 illustrates a method of establishing business rules that govern deals, with emphasis on e-originals that are also transferable records. FIG. 6 shows how an owner may define business rules that implement business processes required for conducting a deal, and thus a TCU*

handles e-original objects based on the established rules. This set of actions advantageously creates a reusable set of rules templates, from which the owner can select the template that suitably matches the type of deal involved... The owner can then create or select business rules that taken together are templates that relate to desired types of deals (block 606), and such rules are communicated to the TCU, which validates the owner's roles and authorities, i.e., the owner's right to act with respect to the subject deal (block 608). It will be appreciated that the creation or selection of business rules and templates can advantageously be performed by owner interaction with an otherwise conventional deal setup and administration software application executed by the client EC. As indicated in block 610, a business rules template may typically identify (1) types of electronic records, (2) types of electronic records that will become transferable records, (3) users or types of user and what such users can do with respect to each electronic record type, (4) an action or actions necessary for transforming an electronic record (e-original) into a transferable record and for transferring an interest, such as ownership, in a transferable record, and (5) a set of electronic record types that are needed to conclude the respective deal..."

It would have been obvious to one ordinary skilled in the art at the time of the invention to combine the real estate networking capabilities of Raveis and GMD's loan document preparation and delivery system with Bisbee's Document Authentication system for electronic transmission of original documents because this would help ensure that a party originating an information object is electronically identifiable. It is an effective method for securing transmission, storage and retrieval of information objects via the web.

9. As per Claim 2,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown further discloses:

- *the property transaction includes legal services* (see at least Raveis, paragraph 88, lines 25-31: "...notarizing legal documents and Attorney's Fees for legal services provided to the lender may also be charged..." and "...the cost of the buyer's and seller's attorney may also appear as a closing or settlement cost....")

10. As per Claim 3,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown further discloses:

- *the legal services provided are associated with a closing of a real property transaction, and includes services rendered both prior to and after the closing of the real property transaction* (see at least Raveis (829), paragraph 93, lines 31-36: "...the activity file documents and records all the member's real estate transactions, including closing documents.....")

11. As per Claim 4,

Raveis, GMD, and Bisbee disclose all of the above limitations. Bisbee as shown, further discloses:

- *web-based user interface is generated in response to code operating on a server on the network, by taking the data in the second table and assembling HTML layout and object information* (see at least column 12, lines 5-17: "...Before submission to the TCU, the signed information object may preferably be formatted such that it includes suitable instructions for parsing and processing its contents. A convenient form of wrapper (e.g., PEM, RSA PKCS#7, or S/MIME) or markup language (e.g., HTML, XML, or XFDL) can be used for this purpose. The contents can be one or more information objects (each comprising one or more electronic documents, images, computer source code, computer executable code, databases, data compilations, etc.), date-time stamps, digital signatures and matching certificates, and/or indicators,

which include, but are not limited to, content types, object identifiers, and encoding rules and tags....")

It would have been obvious to one ordinary skilled in the art at the time of the invention to combine the real estate networking capabilities of Raveis and GMD's loan document preparation and delivery system with Bisbee's Document Authentication system for electronic transmission of original documents because this would provide signature and protection layering as it relates to the electronic information objects.

12. As per Claims 5 and 8,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown further discloses:

- *web-based user interface is generated in response to software operating on a server on the network, by taking the data in the second table and generating an XML result set and an XSL translation sheet, and where software operating on a user computer loads the XSL translation sheet and process the XML result set to produce browser interpretable HTML code to display the interface at the user computer.* (see at least paragraph 8: "...Web files are formatted using Hypertext Markup Language (HTML) and Web communications occur using the Hypertext Transfer Protocol (HTTP).... Users operating client computers interact with the Web by utilizing application programs known as Web browsers. When connected to a Web site, users, e.g., clients interact with Web pages by using a mouse and pointing and clicking on visual objects on the screen...."; paragraph 31: "...Environment 10 includes server 12, which communicates with a distributed computer network 22. Server 12 hosts multiple web sites, houses multiple databases and runs the software to support the system and method of the subject invention...."; paragraph 40: "...General public section 82 is information which can be viewed by any user having a client computer 16(1)-16(n) with a Web browser. Information available to the general public includes a buyer's guide

and a seller's guide. Each guide presents Web pages to provide information and resources to assist a contact with every phase of the buying and selling process. It should be recognized by those skilled in the art that the terms "Web page", "video display" and "screen" may be used interchangeably and are used in this manner throughout the specification..."

13. As per Claims 6 and 9,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown further discloses:

- *web-based user interface includes navigational information and is dynamically generated in response to information that includes identification of the user.* (see at least paragraph 34: "...the computer network 22 is the Internet...accessing information on the Internet is the World Wide Web, because navigation is intuitive...")

14. As per Claim 10,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown further discloses:

- *wherein the layout of the user interface is a record-set comprising information about each field of the interface* (see at least Section III: Activity File Section: paragraph 92: "...allows a client to enter a secure environment within which specific information relating to the client is stored in a computerized database....thus a record is established.....")

15. As per Claim 11,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown further discloses:

- *the record-set includes information about the data source of a field of the user interface* (see at least Section III: Activity File Section: paragraph 93: "...the activity file documents and records all the member's real estate transactions, including closing documents...)

16. As per Claim 12,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown further discloses:

- *the record-set includes a stored procedure associated with the field* (see at least Section III: Activity File Section: paragraph 94: "...the activity file keeps the member up-to-date on every aspect of their move and homeownership....the activity log tracks when products and services will be delivered....allows the member to maintain and analyze records for all transactions related to their home....)

17. As per Claim 13,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown further discloses:

- *the record-set includes an array* (see at least Section III: Activity File Section: paragraph 93: "...the activity file documents and records all the member's real estate transactions, including closing documents...)

18. As per Claim 14,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown further discloses:

- *the record-set includes an object oriented structure* (see at least Figure 3 and Section III: Activity File Section , paragraphs 96 - 98: "...the activity files section 86 is an electronic storehouse for member mortgage papers, closing and settlement

documents, records of ome-related purchases and property taxes...can be a home maintenance organizer for members...the activity file content and features are convenient and customized to the member's personal preferences....")

19. As per Claim 15,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown further discloses

- *the record-set includes data to control the information displayed in response to data identifying a transaction file that a user is seeking access to (see at least Section III: Activity File Section, and paragraph 98: "...contact general area 310 contains fields for holding contact name and address...mortgage area 320 indicates the history....checklist area 330 indicatesby selecting the phase an associated checklist webpage....can be accessed....)*

20. As per Claim 16,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown further discloses:

- *the network hosts a database that is employed to provide system access and automated processing of transactions to users from a plurality of organizations (see at least paragraph 18: "...the method includes the steps of receiving and storing data relating to a plurality of customers including buyers and sellers of real estate in a computerized database and paragraph 31: "...environment 10 includes server 12, which communicates with a distributed computer network 22....server 12 hosts multiple websites, houses multiple databases....)*

21. As per Claim 18,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown, further discloses:

- *receiving a request from a user computer for display of information; and in response to the request, generating a user interface card having the requested information displayed therein, where the layout and the data depicted in the card are, at least partially, retrieved from the second table (see at least Figure 5, and section IV: Web Reporting Section, paragraph 102: "...an exemplary web page relating to a vendor...server 12 displays the vendor information...contains a link to policy information associated with the vendor....contains several user selectable fields....website of the vendor..and paragraph 103: "...further links may be provided from the services sold screen to vendors to facilitate providing requests for proposals...)*

22. As per Claim 19,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown, further discloses:

- *controlling the information displayed as a function of the user making the request (see at least Figure 4 and paragraph 102: "...contains several user selectable fields...)*

23. As per Claim 20,

Raveis, GMD, and Bisbee disclose all of the above limitations. Raveis as shown, further discloses

- *controlling the information displayed as a function of the transaction (see at least Figure 5 and paragraph 103: "...a move consultant would refer to the services sold screen 500 when discussing the management of a contacts need for goods and*

services...alternatively a contact may directly access the services sold screen to manage their affairs....")

Response to Arguments

24. Applicant's arguments received on June 9, 2008 have been fully considered but they are moot in view of the new ground(s) of rejection.

Conclusion

25. Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Kimberly L. Evans** whose telephone number is **571.270.3929**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **John Weiss** can be reached at **571.272.6812**.
26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free). Any response to this action should be mailed to: **Commissioner of Patents and Trademarks**, P.O. Box 1450, Alexandria, VA 22313-1450 or faxed to **571-273-8300**. Hand delivered responses

Art Unit: 3629

should be brought to the **United States Patent and Trademark Office Customer Service**

Window: Randolph Building 401 Dulany Street, Alexandria, VA 22314.

/KIMBERLY EVANS/Examiner, Art Unit 3629

October 14, 2008

/Jonathan Ouellette/

Primary Examiner, Art Unit 3629